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PTO/SB/21 (08-00)

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## TRANSMITTAL FORM

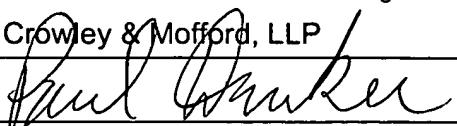
(to be used for all correspondence after initial filing)

		Application Number	09/769,604
		Filing Date	January 25, 2001
		First Named Inventor	Stephen M. Howard
		Group Art Unit	2152
		Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	25	Attorney Docket Number	EMC-002PUS

### ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input checked="" type="checkbox"/> Drawing(s) Formal Drawings	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Return-receipt postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	<input type="checkbox"/> Notice to File Corrected Apl Papers
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> Response to Notice to File Corrected Apl Papers
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	In the event a petition for extension of time is required by this paper and not otherwise provided, such petition is hereby made and authorization is provided herewith to charge deposit account No. 50-0845 for the cost of such extension.	

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Paul D. Durkee	Reg. No. 41,003
	Daly, Crowley & Mofford, LLP	
Signature		
Date	April 4, 2001	

### CERTIFICATE OF MAILING

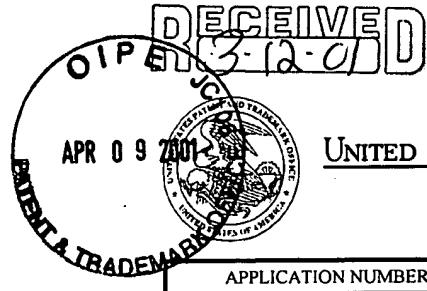
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:

April 4, 2001

Typed or printed name	Paul D. Durkee
Signature	
Date	April 4, 2001

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#3



## Docketed

## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
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WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/769,604	01/25/2001	Stephen M. Howard	EMC-002PUS

## CONFIRMATION NO. 4397

022494  
DALY, CROWLEY & MOFFORD, LLP  
SUITE 101  
275 TURNPIKE STREET  
CANTON, MA 02021-2310

## FORMALITIES LETTER



\*OC000000005835475\*

Date Mailed: 03/07/2001

## NOTICE TO FILE CORRECTED APPLICATION PAPERS

*Filing Date Granted*

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

*A copy of this notice MUST be returned with the reply.*

*(Signature)*  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

#3  
**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Stephen M. Howard et al.

Serial No.: 09/769,604

Filed: January 25, 2001

Entitled: DATA BACKUP SYSTEM HAVING A  
FLEXIBLE RESTORE ARCHITECTURE

Docket No.: EMC-002PUS

Group Art Unit: 2152

Examiner: Not Yet Assigned

**Certificate of Mailing (37 C.F.R. 1.8(a))**

I hereby certify that this correspondence is being transmitted via first-class mail in an envelope Addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on the date set forth below.

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Date of Signature  
and Mail Deposit

By: Anna Maria Keel  
Anna Maria Keel

**RESPONSE TO FILE CORRECTED APPLICATION PAPERS**

Assistant Commissioner for Patents  
Washington, D.C. 20231

This is in response to the Noticed to File Corrected Application Papers date mailed March 7, 2001. Please substitute the enclosed drawing sheets containing formal versions of Figures 1-20 (twenty-one sheets) for the corresponding drawing sheets currently in the application.

Serial No.: 09/769,604  
Filed: January 25, 2001  
Attorney Case No. EMC-002PUS

The Assistant Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 500845.

Respectfully submitted,



Paul D. Durkee  
Attorney for Applicant(s)  
Registration No. 41,003

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